

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 4

January 6, 1995, 2:30 p.m.
Page S-556 Temp. Record

CONGRESSIONAL ACCOUNTABILITY ACT/Balanced Budget Procedures

SUBJECT: Congressional Accountability Act of 1995 . . . S. 2. Exon motion to waive section 306 of the Budget Act for the consideration of the Exon modified amendment No. 6.

ACTION: MOTION REJECTED, 30-53

SYNOPSIS: Pertinent votes on this legislation include Nos. 2-3, 5-11, and 13-14.

As introduced, S. 2, the Congressional Accountability Act of 1995, will extend 11 civil rights and labor laws to the Senate, the House of Representatives, and the instrumentalities of Congress.

The Exon amendment would declare that it is essential for Congress: to set forth with specificity this session the policies that must be adopted to achieve a balanced Federal budget; and to enforce the requirement to achieve a balanced Federal budget through the budget process. The amendment would create a Budget Act point of order against the consideration of budget resolutions: that do not reach a balance by fiscal year (FY) 2002; that do not provide the usual budget resolution detail; or that do not include reconciliation instructions to the affected committees for all assumed entitlement and tax changes. This point of order could be waived by a three-fifths majority (60) vote, and could be suspended in the event of war or low economic growth. As modified, the amendment would not declare that Congress finds it essential that a joint resolution proposing an amendment to the Constitution requiring a balanced Federal budget be adopted.

During debate, Senator Domenici raised a point of order that the Exon amendment violated the Budget Act. Senator Exon then moved to waive section 306 of the Budget Act for the consideration of the amendment. Generally, those favoring the motion to waive favored the amendment; those opposing the motion to waive opposed the amendment.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive section 306 of the Budget Act.

Those favoring the motion to waive contended:

The Exon amendment is a truth-in-advertising amendment. We are all aware that most Americans strongly support the passage

(See other side)

YEAS (30)		NAYS (53)		NOT VOTING (17)	
Republicans (0 or 0%)	Democrats (30 or 91%)	Republicans (50 or 100%)	Democrats (3 or 9%)	Republicans (3)	Democrats (14)
Akaka	Graham	Abraham	Inhofe	Bond ⁻²	Biden ⁻²
Baucus	Harkin	Ashcroft	Jeffords	Gramm ⁻²	Boxer ⁻²
Bingaman	Inouye	Bennett	Kassebaum	McCain ⁻²	Bumpers ⁻²
Bradley	Johnston	Brown	Kempthorne		Ford ⁻²
Breaux	Kerry	Burns	Kyl		Heflin ⁻²
Bryan	Kohl	Chafee	Lott		Hollings ⁻²
Byrd	Lautenberg	Coats	Lugar		Kennedy ⁻²
Campbell	Mikulski	Cochran	Mack		Kerrey ⁻²
Conrad	Moseley-Braun	Cohen	McConnell		Leahy ^{-1AY}
Daschle	Moynihan	Coverdell	Murkowski		Levin ⁻²
Dodd	Murray	Craig	Nickles		Lieberman ⁻²
Dorgan	Pell	D'Amato	Packwood		Nunn ⁻³
Exon	Pryor	DeWine	Pressler		Robb ⁻²
Feingold	Reid	Dole	Roth		Rockefeller ⁻²
Feinstein	Simon	Domenici	Santorum		
		Faircloth	Shelby		
		Frist	Simpson		
		Gorton	Smith		
		Grams	Snowe		
		Grassley	Specter		
		Gregg	Stevens		
		Hatch	Thomas		
		Hatfield	Thompson		
		Helms	Thurmond		
		Hutchison	Warner		
				EXPLANATION OF ABSENCE:	
				1—Official Business	
				2—Necessarily Absent	
				3—Illness	
				4—Other	
				SYMBOLS:	
				AY—Announced Yea	
				AN—Announced Nay	
				PY—Paired Yea	
				PN—Paired Nay	

of a balanced budget amendment to the Constitution, we are all aware that most Members are also likely to vote for such an amendment this year, and we all also know that most Americans do not realize the sacrifices that are going to be involved in reaching that goal. Sections of the economy and regions of the country that are heavily subsidized will be severely hurt. Some of us who support this amendment favor a balanced budget amendment to the Constitution, others of us strongly oppose it, but we all agree that if such an amendment is to pass we should be prepared ahead of time to implement it.

Senators need to look at this situation honestly. The reason a balanced budget amendment is being considered is because Presidents have proposed and Members have irresponsibly voted to amass the \$4 trillion-plus deficit we now have. Perhaps we are being cynical, but we fear that a constitutional requirement that the budget be balanced in 2002 may not be enough to get Senators to agree to work toward that goal ahead of time. When the day of reckoning arrives, Congress may find itself unable to live up to its constitutional duty without a massive, several-hundred-billion-dollar, 1-year cut in services or a massive, several-hundred-billion-dollar, 1-year increase in taxes. We fear that Congress may then shirk its duty.

We should not make a promise of this gravity without any assurance that we will be able, given our past behavior, to keep it. When it comes time to make specific cuts or revenue increases, we must be up to the task. In recent years, the little budget discipline that has been achieved has been by requiring supermajority votes to increase the deficit. Using this history as a guide, the Exon amendment would require a gradual lowering of each year's deficit, and would require a supermajority vote to waive this requirement. We believe the amendment would work. If our colleagues simply promise to balance the budget, but do not establish the framework that is needed to achieve that promise, they are likely to fail and seriously damage our country. We urge them to join us in approving the Exon amendment, because we should make sure we can deliver on our promise before we make it.

Those opposing the motion to waive contended:

Once again, the problem is timing. The issues that are being raised as amendments on this bill are important, and the Majority Leader has promised early consideration of them, but they do not belong on this bill. S. 2 is about applying 11 laws to Congress from which it has previously exempted itself--Congress should not be above the law. Americans strongly support this bill and demand its early passage. We should pass it now, without delay, and then turn to other issues.

The greater problem of timing in this case, though, has to do with the substance of the Exon amendment. The Exon amendment deals with the enforcement of a balanced budget amendment to the Constitution, which is a far more momentous issue. Proponents of this amendment have correctly noted that the Congressional Budget Office has found that the Clinton Administration has not achieved the deficit reduction that it laid claim to, and that as a result a \$1.2 trillion shortfall will have to be corrected between now and the year 2002 in order to balance the budget. They have also correctly noted that the balanced budget amendment that is likely to be passed will not take effect until the year 2002 (assuming the requisite number of States ratify it by the year 2000). Finally, they have expressed the fear that Congress will walk blindly into the promise of achieving a balanced budget without any idea of how it will fulfill that promise. Specifics, they say, are lacking, and we therefore need to pass the Exon amendment.

The Exon amendment, however, also lacks specifics. It would require super-majority votes to consider budget resolutions that are not moving the budget into balance by 2002. Instead of imposing a balanced budget requirement in the year 2002 without saying how we will get there, it would gradually phase in the requirement without saying how we will get there. Our colleagues want to make sure that we do not delay the day of reckoning, but they do not offer any specifics. We agree that we should not make promises unless we know we can deliver, but we also must note that no evidence has been given to us that the promises in the Exon amendment can be kept.

We think the more appropriate approach is to first establish the principle that we will have a balanced budget by the year 2002, then to decide the specific spending and revenue changes that will be made to achieve that principle, and then, finally, establish the budget procedures that will be necessary to achieve those spending and revenue changes. Our colleagues, in week one of the 104th Congress, want us to put the cart before the horse by setting the budget procedures first. We urge patience. The balanced budget amendment will soon be before this body. The Budget Committee has already developed a preliminary plan of specific spending cuts to trim up to \$500 billion from the deficit. The process is moving forward rapidly. Soon Congress will likely require the President to submit budgets that will move the budget into balance. If our colleagues show patience for just a few more months, it is quite possible that their amendment will receive more favorable consideration by many Senators. At this point, though, it is premature, and we therefore must oppose the motion to waive the Budget Act for its consideration.